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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,893	10/29/2001	Eduard K. de Jong	P-6992	2395
24209 7590 02/06/2008 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940			EXAMINER BATES, KEVIN T	
			ART UNIT 2153	PAPER NUMBER
			MAIL DATE 02/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/014,893

Applicant(s)

DE JONG ET AL.

Examiner

Kevin Bates

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Amendment

This Office Action is in response to a communication made on December 17, 2007.

Claims 1-6 have been amended.

Claims 1-10 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reiche (6092196) in view of Rode (6970904), and in further view of He (6088451).

Regarding claims 1, 3, and 5, Reiche teaches a method for controlling user access to distributed resources on a data communications network (Column 8, lines 9 – 13), the method comprising:

receiving, by a resource server peer group, a resource request for a resource stored on said resource server peer group, said resource request including, at time of first receipt of said resource request itself from a user, a request for said resource and a rights key credential (Column 9, lines 38 – 42), said rights key credential comprising:

at least one key to provide access to a resource on said data communications network (Column 9, lines 3 – 5) so that said at least one key is included in said resource request; and

a resource identifier (Column 9, lines 45 – 46) included in said resource request, said resource identifier comprising a resource server peer group ID and a user ID (Column 8, lines 65 – 66), said resource server peer group ID identifying said resource server peer group (Column 10, lines 50 – 63), said resource server peer group comprising at least one server that maintains a mapping between a user ID and said at least one key (Column 8, line 64 – Column 9, line 6; Column 10, lines 39 – 49); and providing said resource by said resource server peer group when said resource server peer group matches said at least one key (Column 9, lines 63 – 66) with an identifier in a set of identifiers associated with said resource (Column 10, lines 50 – 63) so that said receiving, said providing and said matching are performed on said resource server peer group without accessing another server outside said resource server peer group wherein said resource server peer group includes a plurality of resource servers (Column 10, lines 50 – 63).

Reiche does not explicitly indicate that the user ID is a randomized user ID.

Rode teaches a system for controlling access to system resources (Abstract) that includes a unique identifier for the user as taught in Reiche, but further teaches that the identifier can be a uniformly chosen random number (Column 2, lines 45 – 54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rode's teaching of choosing a random number for the

unique identifier in order to allow an identifier be chosen without contain any personal information about the user, allowing the system to keep the user anonymous.

Reiche does not explicitly indicate the rights key credential is contained in the initial request from the server resource.

He teaches an authentication system that requires user authentication before any resource requests are made, which includes receiving the rights key credentials before requests are made to the server resources. (Column 18, lines 35 – 41 and Column 19, lines 3 – 7 teaches that the credential key is created by communication to the authentication and Column 20, lines 29 – 33 credential server and shows that the credential key is then located within the user request to access resources on the resource server.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use He's teaching of authenticating before allowing resource request system in Reiche's system to have a more scalable system which allows for greater system size and more diverse network elements (Column 12, lines 36 - 41).

Regarding claims 2, 4, and 6, Reiche teaches a method for controlling user access to distributed resources on a data communications network (Column 8, lines 9 – 13), the method comprising:

receiving, by a resource server peer group, a resource request for a resource stored on said resource server peer group, said resource request including at time of receipt of said resource request itself, a request for said resource and a rights key credential (Column 9, lines 38 – 42), said rights key credential comprising:

at least one key to provide access to a resource on said data communications network (Column 9, lines 3 – 5) so that said at least one key is included in said resource request each of said at least one resource stored on a separate secure device (Figure 1, elements 120 and 150); and

a resource identifier included in said resource request (Column 9, lines 45 – 46), said resource identifier comprising a resource server peer group ID and a user ID (Column 8, lines 65 – 66), said resource server peer group ID identifying a resource server peer group (Column 10, lines 50 – 63), said resource server peer group comprising at least one server that maintains a mapping between a user ID and said at least one key (Column 10, lines 39 – 49); and

providing said resource by said resource server peer group when said resource server peer group matches said at least one key (Column 9, lines 63 – 66) with an identifier in a set of identifiers associated with said resource (Column 10, lines 50 – 63) so that said receiving, said providing and said matching are performed on said resource server peer group without accessing another server outside said resource server peer group wherein said resource server peer group includes a plurality of resource servers (Column 10, lines 50 – 63).

Reiche does not explicitly indicate that the user ID is a randomized user ID.

Rode teaches a system for controlling access to system resources (Abstract) that includes a unique identifier for the user as taught in Reiche, but further teaches that the identifier can be a uniformly chosen random number (Column 2, lines 45 – 54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rode's teaching of choosing a random number for the unique identifier in order to allow an identifier be chosen without contain any personal information about the user, allowing the system to keep the user anonymous.

Reiche does not explicitly indicate the rights key credential is contained in the initial request from the server resource.

He teaches an authentication system that requires user authentication before any resource requests are made, which includes receiving the rights key credentials before requests are made to the server resources. (Column 18, lines 35 – 41 and Column 19, lines 3 – 7 teaches that the credential key is created by communication to the authentication and Column 20, lines 29 – 33 credential server and shows that the credential key is then located within the user request to access resources on the resource server.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use He's teaching of authenticating before allowing resource request system in Reiche's system to have a more scalable system which allows for greater system size and more diverse network elements (Column 12, lines 36 - 41).

Regarding claims 7 and 9, Reiche teaches the method of claims 1 and 2, wherein said rights key credential further comprises a nested credential referring to at least one credential relating to a resource delivery mechanism (Column 10, lines 50 – 67).

Regarding claims 8 and 10, Reiche teaches the method of claims 7 and 9, wherein said providing said resource further comprises using said resource delivery mechanism.

Response to Arguments

Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 9 am.- 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

92 T BT

Kevin Bates
January 31, 2008



KRISNA LIM
PRIMARY EXAMINER